

**MINUTES FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION
HELD AT 6:00 P.M., THURSDAY EVENING, NOVEMBER 11, 2004
CITY COUNCIL CHAMBERS, #2 CIVIC CENTER PLAZA – 2ND FLOOR**

MEMBERS PRESENT:

Berube, Paul
Ellis, William
Graham, Elijah
Harris, Alvin
Martinez, Ramy
Peña, Andrew
Ruck, Lance – Chair
Schwartz, Elma
Sutherland, Ken

ALSO PRESENT:

Alvarez, Beatriz	Martinez, Lupe – Asst. City Attorney
Bond, Terry – CSC Secretary/HR Director	Olivas, Martin
Buenning, Rosy – CSC Recorder	Owens, Cedric
Carillo, Hector	Perez, Ruben
Cuellar, Lupe – Asst. City Attorney	Pucel, Gerald – Street Dept.
Dominguez, Ricardo – MPO	Ramirez, Patricia
Fargo, Peter - Human Resources	Reyes, Lourdes
Garcia, Veronica	Sanchez, Ana - Human Resources
Gonzalez, Abraham	Smyth, Ellen – Solid Waste Management
Gutierrez, Nancy	Thomas, Linda – HR Assistant Director
Guzman, Louie Jr.	Torres, Javier
Hernandez, Ricardo Jr.	Weide, Cynthia
Jimenez, Jesus Jr.	Yetter, Bruce
Lozada, Dorothy	

The meeting convened at 6:02 p.m. with a quorum of 9 Commissioners present and Chair Ruck presiding.

CONSENT AGENDA

Commissioner Ellis requested that Items 1, 8A and 8B be moved to the Regular Agenda.

Commissioner Sutherland requested that Item 5 be moved to the Regular Agenda.

Chair Ruck requested Items 6 and 11B be moved to the Regular Agenda.

MOTION TO APPROVE THE CONSENT AGENDA WITH THE MODIFICATIONS MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

1. Discussion and Action on Approval of Minutes:

October 28, 2004

This item was addressed at the beginning of the Regular Agenda.

Commissioner Ellis said that on Item 15, Page 6, paragraph 5, at the end of the first line it reads “not stated as he or she” He believed it should be noted that “she” referred to Ms. Cuellar. Also on the second line of the same paragraph, he requested the word “may” be deleted and an “s” be added to the word “state.” Further, at the end of this item during the vote, Commissioner Ellis requested that it be noted on his “nay” vote that he didn’t think the Commission should deny a grievance they didn’t hear.

Commissioner Ellis also referred to Item 20 and commented that Commissioner Berube had remembered what Ms. Buenning had told the Commission and he felt the minutes should reflect that.

Chair Ruck pointed out that it was already in the minutes.

Commissioner Ellis asked reference Ms. Buenning's contract since the minutes showed that the motion was to submit the provisions of the contract to the Commission at this meeting. He also asked if it had already been sent to City Council.

Ms. Bond stated that the contract didn't have to go to City Council because it was under \$50,000 and the City Manager could sign the contract. She stated that Ms. Cuellar made the provisions that the Commission requested into the contract and believed it didn't have to come back to the Commission.

Commissioner Ellis asked if they could have a copy during the course of the meeting in order to review it.

Ms. Bond said yes.

MOTION TO APPROVE ITEM 1 AS AMENDED MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER GRAHAM AND UNANIMOUSLY PASSED.

2. Discussion and Action on Approval of Contracts:

- A. Personal Services Contract with Monica Acuña to perform the duties of Legal Secretary from November 19, 2004 through November 18, 2005, for the City Attorney' Office.
- B. Personal Services Contract with Jessica Guzman to perform the duties of Secretary from November 12, 2004 through June 12, 2005, for the Mayor's Office.
- C. Cooperative Education Contract with Michael Medina from November 15, 2004 through November 14, 2005, for the Metropolitan Planning Organization.
- D. Personal Services Contract with Gloria Gonzalez-Graells to perform the duties of Crime Victim Services Supervisor from November 15, 2004 through August 31, 2005, for the Police Department.
- E. Personal Services Contract with Noelle Crouthers from November 12, 2004 through November 11, 2005, for the Airport.

3. Discussion and Action on Approval of Applications for Outside Employment:

- | | |
|----------------------------------|---|
| A. Almaguer-Roberto-Police | S. Jimenez-Gerardo-Police |
| B. Arellano-Jorge-Police | T. Jimenez-Pedro-Fleet Services |
| C. Ayala-Jesus Antonio-Police | U. Paris-Jerry L.-Police |
| D. Diaz-Ricardo-Police | V. Pauley-Pamela-El Paso Zoo |
| E. Ellingson-Dana J.-Police | W. Perea-Ernesto-Police |
| F. Esparza-Jaime-Police | X. Ponce-Angel E.-Police |
| G. Fierro-Joe-Street | Y. Powell-Timothy L.-Purchasing |
| H. Galindo-Rafael-Police | Z. Quintanilla-Enrique A. Jr.-Police |
| I. Garnica-Daniel-Police | AA. Quintanilla-Enrique A. Jr.-Police |
| J. Gomez-Albert-Police | BB. Ramirez-Victor M.-Bldg. Permits & Insp. |
| K. Gomez-David R.-Police | CC. Rodriguez-Jose-El Paso Zoo |
| L. Granillo-Ludovico-Police | DD. Salcido-Pedro M.-Police |
| M. Gutierrez-Ramon Jr.-E.P.W.U. | EE. Sanchez-John R.-Police |
| N. Hernandez-Cruz Jr.-Police | FF. Silex-Hugo-Police |
| O. Hernandez-Frank S.-Police | GG. Smith-Steven-Police |
| P. Herrera-Jesus-Police | HH. Talavera-Jose-Police |
| Q. Higgins-Mary Ann-Mass Transit | II. Villalobos-Jose A.-Police |
| R. Jaso-Steven J.-Police | JJ. Wolff-William John-Airport |

4. Notice of Promulgation of Eligible Lists:

- A. Accountant II (P-9)(O-12)
- B. Transportation Planner I (P-0)(O-2)

5. Discussion and Action on Approval of Classification Actions:

New Job Class/Revised Job Class/Revised Job Class & Grade/Revised Job Class, Title & Grade

	<u>Title</u>	<u>Code</u>	<u>Grade</u>
Proposed:	Legal Secretary	1831	GS 21

This item was addressed at the beginning of the Regular Agenda.

Commissioner Sutherland stated that in staying in step with the changes in terminology on career titles, he advised that in the legal secretary field the term had changed to Legal Assistant. He pointed out that most of the career schools refer to that type of training as “assistant” instead of “secretary” and wanted to relay that information.

Ms. Bond thanked Commissioner Sutherland for his input and advised that there had been inquiries to other cities about their titles and about this issue. It turned out that most of them use Legal Secretary and that was also the title used by Ms. Elizondo in the document that she provided when she made this request.

Commissioner Sutherland commented that he knew that the International Business College had changed that title approximately six years ago to Legal Assistant because they found that the career path didn't call it Legal Secretary as much any more.

Lupe Martinez, Assistant City Attorney, requested the Commission approve the revisions to the job specs.

Discussion.

MOTION TO APPROVE ITEM 5 MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

6. Discussion and Action on Approval of placement of incumbents into reclassified positions:

	<u>Title</u>	<u>Code</u>	<u>Grade</u>
Official:	Secretary III	1823	GS 19
Proposed:	Legal Secretary	1831	GS 21
A.	Alvarez, Beatrice		
B.	Brown, Debbie		
C.	Garcia, Veronica		
D.	Lozada, Dorothy		
E.	Murphy, Kathryn		
F.	Reyes, Lourdes		
G.	Sandberg, Nancy		
H.	Weide, Cynthia		
I.	Gutierrez, Nancy E.		

This item was addressed at the beginning of the Regular Agenda.

Chair Ruck pointed out that the parameters for the minimum qualifications for Item 6 was different from the job specification in Item 5 and it needed to be corrected to reflect the same language.

Assistant City Attorney Lupe Cuellar concurred.

MOTION TO APPROVE ITEM 6A-I WITH CORRECTION MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER ELLIS AND UNANIMOUSLY PASSED.

Official:	Equipment Operator II	3222	GS 15
Proposed:	Refuse Equipment Operator	3210	Same
J.	Campa, Hector A.		

MOTION TO APPROVE ITEM 6J MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

7. For Notation: Request to have appeal heard by Arbitrator:
 - A. Butzon, William S. – Suspension – Police Dept. (CP04-235)
 - B. Harding, Christopher – Suspension – Police Dept. (CP04-138)
 - C. Villalobos, Miguel – Suspension – Police Dept. (IA04-105)
8. Discussion and Action on request to have named placed on Transfer List:
 - A. Cardona, Peggy – Personnel and Accounting Clerk – Fire Dept.

This item was addressed at the beginning of the Regular Agenda.

Commissioner Ellis asked if anybody was present from the Fire Department or if Ms. Cardona was present. Nobody was present from the Fire Department nor was Ms. Cardona present. He requested the Commission discuss this item in Executive Session.

MOTION TO TABLE ITEM 8A UNTIL EXECUTIVE SESSION MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER BERUBE AND UNANIMOUSLY PASSED.

The matter was discussed in Executive Session along with Item 16. The following action was taken in Open Session.

MOTION TO DENY ITEM 8A MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER MARTINEZ AND PASSED BY A VOTE OF 6 TO 2.

Ayes: Commissioners Peña, Graham, Martinez, Berube, Harris, Ellis
Nays: Commissioner Schwartz, Sutherland

- B. Garcia, Daniel – Equipment Operator II – El Paso Water Utilities

This item was addressed at the beginning of the Regular Agenda.

MOTION TO APPROVE ITEM 8B MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER PEÑA AND UNANIMOUSLY PASSED.

- C. Guzman, Joel – Mechanical Engineer Associate II – Engineering
9. Discussion and Action on request to have name placed on Reinstatement List:
 - A. Owens, Cedric – Coach Operator – Mass Transit
 - B. Carrillo, Hector – Labor Foreman I – Street Dept.
 10. Discussion and Action on Approval of Merit Increases in accordance with C.S.C. Guidelines:
 - A. Airport - Kaiser, Shirley S. - Administrative Analyst
 - B. MPO - Calvo, Eduardo - Transportation Planner II
 - C. MPO - Dominguez, Ricardo - Transp. Planning & Prgrm. Mgr.
 - D. MPO - Williams, Roger - Transportation Planner I
 - E. Tax - Cordero, Jeanette A. - Cashier II
 - F. Tax - Marquez, Geronimo Jr. - Cashier II
 11. Discussion and Action on Request for Temporary Promotion:
 - A. Crumley, Barbara – Purchasing Department (Extension)
From: Procurement Analyst
To: Administrative Analyst

- B. Fowler, Jeannine – Mass Transit (Extension)
From: Clerk Typist II
To: Clerk Typist III

This item was addressed at the beginning of the Regular Agenda.

Chair Ruck asked why someone from the eligible list wasn't placed in this position.

Ms. Bond explained that this was not a permanent position, therefore someone from a promotional list couldn't be hired to come fill the position temporarily until the incumbent returned.

Discussion.

MOTION TO APPROVE ITEM 11B MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER SUTHERLAND AND PASSED BY A VOTE OF 7 WITH 1 ABSTENTION.

Ayes: Commissioners Peña, Graham, Martinez, Berube, Sutherland, Schwartz, Harris
Abstain: Commissioner Ellis

- C. Guerrero, Alfonso – Purchasing Department (Extension)
From: Buyer
To: Procurement Analyst

12. Discussion and Action on Approval of Hearing Officer's Invoice:

- A. Palafox, Patricia – Dated 10/25/04 – September 2004
- B. Ponder, Bruce – Dated 11/04/04 – August 2004

REGULAR AGENDA

13. Discussion and Action on Hearing Officer's Report and Recommendation:

Barajas, Marco – Suspension – Solid Waste Management (04-SW-19BP)

Assistant City Attorney Lupe Martinez stated that the City wasn't opposed to the Hearing Officer's recommendation.

Commissioner Ellis said the Commission should try to develop a law of the workplace so that there is consistency of holdings on similar points of law under similar facts among the three Hearing Officers. He believed that Hearing Officer Ponder's analysis of the effect of the just cause provision in the Charter was extremely important, extremely well-reasoned, and requested the other two Hearing Officers get a copy of this recommendation so they can consider the same and take that into account when they face the same issue.

MOTION TO APPROVE HEARING OFFICER BRUCE PONDER'S RECOMMENDATION AS NOTED BELOW AND THAT A COPY BE SENT TO THE OTHER TWO HEARING OFFICERS, MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER BERUBE AND UNANIMOUSLY PASSED.

"I RECOMMEND THE CIVIL SERVICE COMMISSION FIND EXPRESSLY THAT DISCIPLINE HERE IS LIMITED SOLELY FOR INSUBORDINATION AND NOT FOR SAFETY RELATED MISCONDUCT, AND REDUCE THE TWO-DAY SUSPENSION OF THE EMPLOYEE MARCO BARAJAS TO A ONE-DAY SUSPENSION."

14. Discussion and Action on Pending Appeals of: (Tabled 10-28-04)

- A. Jimenez, Jesus Jr. (04-ST-04BY)
- B. Miranda, Miguel (04-ST-05BY)
- C. Perez, Ruben (04-ST-07BY)
- D. Torres, Javier (04-ST-06BY)

Chair Ruck commented that Hearing Officer Yetter could not make a decision on these cases because of a possible conflict of interest with his position in the County Attorney's Office and in case these cases were prosecuted in the future under criminal charges.

Assistant City Attorney Lupe Cuellar said that was correct. She stated that she had discussed this with Mr. Yetter and Mr. Yetter while serving in his capacity as a Hearing Officer there was no conflict. The conflict arises when he serves in his capacity as an Assistant County Attorney. Her recommendation on the three cases that he had already heard was that he summarize all the evidence and present it to them without a recommendation. This way the Commission wouldn't have to listen to the tapes or listen to the testimony again. The cases could then be placed on the agenda and the Commission could make their recommendation. She said the fourth case would have to be reassigned to another Hearing Officer.

Chair Ruck asked if this could be a committee of the Commission?

Ms. Cuellar replied that it had to be a Commission of the whole.

Robert Perez, Attorney for Javier Torres, objected to Ms. Cuellar's recommendation. He said he would request a totally new hearing for his client as he believed Mr. Yetter giving a summary would be totally unfair to his client. He said that Mr. Yetter was able to hear all the witness and was able to judge them and look at their demeanor, to look at things first hand.

Chair Ruck asked if the proceedings were taped.

Mr. Perez believed they were audio taped but didn't believe they were video taped, therefore the Commission couldn't judge the witnesses and their testimony and their credibility fairly. He also stated that Mr. Yetter had an alleged conflict of interest, which he didn't see.

Commissioner Ellis explained to Mr. Perez what the regular procedure would be and commented it wouldn't be that much different from the Commission usually does. He asked Hearing Officer Yetter how long the hearing was.

Hearing Officer Yetter stated it was for 1 full day.

Discussion.

Commissioner Ellis suggested that the Commission in the backup of the meeting in which this is to be considered be provided with a CD of the hearing so that the Commissioners may review the tapes in their entirety without necessarily having to reconvene and rehear the case.

Mr. Perez reiterated that he objected to this, he felt a Hearing Officer should submit a recommendation. He said that they had requested that the criminal proceedings be settled before they took any action on this case but had been told they had to proceed with this case. He said that the criminal side of this case would be settled by January and asked that they hear the case after that.

Discussion.

Chair Ruck asked what the City's position was on Mr. Perez' request to wait until after the criminal case is settled.

Lupe Martinez, Assistant City Attorney, stated the City wanted them to go forward and make a ruling on the case.

Assistant City Attorney Cuellar reminded that the Commission has always had the option to assign the case to a Hearing Officer or they could choose to hear the case themselves. She also told the Commission that even if the criminal case was dismissed they could still go forward with the disciplinary action, one did not dispose of the other.

MOTION TO ADOPT MS. CUELLAR'S RECOMMENDATION FOR ITEMS 14A, 14B AND 14D, THAT HEARING OFFICER YETTER SUMMARIZE THE EVIDENCE AND PRESENT IT TO THE ENTIRE COMMISSION WITHOUT A RECOMMENDATION, WITH THE ADDITIONAL ELEMENT THAT IN THE

BACKUP OF THAT ITEM WHEN IT IS PLACED ON THE AGENDA, THAT THE COMMISSIONERS INDIVIDUALLY BE PROVIDED WITH THE AUDIO RECORDING AND EXHIBITS OF THE HEARING MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER GRAHAM AND PASSED BY A VOTE OF 7 TO 1.

Ayes: Commissioners Peña, Graham, Martinez, Berube, Schwartz, Harris, Ellis
Nay: Commissioner Sutherland

Commissioner Ruck asked if Mr. Ruben Perez' case had been reassigned to another Hearing Officer.

Assistant City Attorney Cuellar said that it has not and that it would be.

Commissioner Ellis asked if there would be a problem assigning the case to Hearing Officer Bruce Ponder since he worked for the Public Defender's Office.

Assistant City Attorney Lupe Martinez stated that there might be a possible conflict or a look of impropriety but couldn't make that determination without consulting with the City Attorney.

MOTION THAT THE RUBEN PEREZ CASE BE REASSIGNED TO HEARING OFFICER PATRICIA PALAFOX AND THAT INQUIRIES BE DIRECTED TO THE PUBLIC DEFENDER OF EL PASO COUNTY FOR DETERMINATION FROM HER CONCERNING WHETHER OR NOT THERE WOULD BE A PERCEIVED CONFLICT ON THE PART OF MR. PONDER IN ANY CASE WHICH COULD CONCEIVABLY RESULT IN THE PUBLIC DEFENDER'S OFFICE DEFENDING THE SAME EMPLOYEE IN A CRIMINAL CAPACITY MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

Assistant City Attorney Lupe Cuellar said she would send a letter to the County Public Defender's Office to get clarification from them.

This item was reconsidered after Item 17.

MOTION TO RECONSIDER ITEM 14 MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

Discussion.

Clarification that the Commission as a whole would be considering these cases.

15. A. Discussion and Action on appeal from Martin Olivas, Solid Waste Management, reference disqualification from reclassification to Refuse Equipment Operator.
- B. Discussion and Action to reclassify Martin Olivas from Equipment Operator II to Refuse Equipment Operator for Solid Waste Management.

Ellen Smyth, Solid Waste Management Director, explained to the Commission her reasons for supporting Mr. Olivas' appeal, gave them a little background on the matter and requested the Commission approve his request.

MOTION TO APPROVE ITEM 15A MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER SUTHERLAND AND UNANIMOUSLY PASSED.

MOTION TO APPROVE ITEM 15B MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER SUTHERLAND AND UNANIMOUSLY PASSED.

MOTION TO ADJOURN TO EXECUTIVE SESSION MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.

The Commission retired into Executive Session at 7:39 p.m. to discuss Items 8A and 16, and reconvened for Open Session at 8:20 p.m.

MOTION TO ADJOURN EXECUTIVE SESSION AND RETURN TO REGULAR SESSION MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

16. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rules and Regulations:

A. Gonzalez, Abraham – Messenger I (Ord. 8064, 5.1.b.)

Mr. Gonzalez was present. The matter was addressed in Executive Session, the following action was taken in Open Session.

MOTION TO DENY ITEM 16A MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER PEÑA AND UNANIMOUSLY PASSED.

B. Hernandez, Richard – Messenger I (Ord. 8064, 5.1.b. & 8.1.d.4.)

Mr. Hernandez was present. The matter was addressed in Executive Session, the following action was taken in Open Session.

MOTION TO APPROVE ITEM 16B MADE BY COMMISSIONER PEÑA, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

C. Woolridge, Benjamin – Messenger I (Ord. 8064, 5.1.b.)

Mr. Woolridge was not present. The matter was addressed in Executive Session, the following action was taken in Open Session.

MOTION TO DENY ITEM 16C MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

17. Discussion and Action on future disciplinary appeals referred to Hearing Officer Bruce Yetter.

Assistant City Attorney Lupe Cuellar said that one of the things that the Commission needs to take into consideration now that Mr. Yetter's superior at the County Attorney's Office has determined that there is a conflict, is to determine how to avoid situations like the ones tonight. She recommended that the cases which are usually assigned on a rotating basis, that were going to be assigned to Hearing Officer Yetter be given to her so she can look at them and determine whether or not there is any criminal conduct that may eventually lead to criminal charges. If there is criminal conduct then the case can be assigned to the next Hearing Officer and the following case assigned to Mr. Yetter. She said they needed to have some kind of screening mechanism so that this wouldn't happen again.

Commissioner Ellis asked Hearing Officer Yetter to explain what the process was for the County to prosecute criminal cases other than hot checks.

Hearing Officer Yetter stated that other than hot checks and juvenile matters, there is a case by case basis when the District Attorney recuses his office and that is when the County Attorney's office where Mr. Yetter works becomes involved in the prosecution. He said that the District Attorney for his own reasons recused his entire office from prosecuting those cases, and that was what happened in today's four Street Department cases.

Commissioner Ellis asked Hearing Officer Yetter how it came to light that these four cases which he had been assigned were being handled by the County Attorney's office also.

Hearing Officer Yetter said it was a confluence of very peculiar circumstances. He explained that back in 2003 when the District Attorney obtained the indictment of the four individuals and the case went for about four or five months under the auspices of the District Attorney's office, at some point in there the District Attorney recused his office and transferred the case to the County Attorney's office for prosecution. Mr. Yetter said he had no idea that someone from his office was prosecuting the case. It wasn't until one of the attorneys who was also handling the criminal side of his client's situation brought it to his attention. Mr. Yetter then talked to Michele Locke and Lupe Cuellar to see if there was any problem which he believed there wasn't. About one month later he was told that the prosecutor from the County Attorney's office who was prosecuting the cases was told that Mr. Yetter was handling the employment side of the cases and that was the first time that Mr. Yetter even knew who was handling the cases.

Chair Ruck asked Hearing Officer Yetter if he had any problem with the Commission following Assistant City Attorney Lupe Cuellar's recommendation on screening the cases before they were assigned to him.

Hearing Officer Yetter said he welcomed the ability to screen the cases so there wouldn't be any more inefficiency or delays. He was apologetic to the Commission for these circumstances which had caused delay.

Chair Ruck told him it wasn't necessary since these circumstances were out of his control.

Discussion.

MOTION TO ADOPT ASSISTANT CITY ATTORNEY CUELLAR'S RECOMMENDATION MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

THERE BEING NO FURTHER BUSINESS BEFORE THE COMMISSION, A MOTION TO ADJOURN WAS MADE BY COMMISSIONER SUTHERLAND, SECONDED BY COMMISSIONER BERUBE AND UNANIMOUSLY PASSED.

THE MEETING ADJOURNED AT 8:36 P.M.



LANCE RUCK, C.S.C. CHAIR



TERRY BOND, C.S.C. SECRETARY

C.S.C.

DATE APPROVED **DEC 09 2004**